

Amendments to the Drawings:

The attached replacement drawing sheets replaces the original sheets with formal Figs.

1-7.

Attachment: Replacement Sheets

REMARKS

Claims 1-7 are pending in this application. By this Amendment, claim 1 is amended. No new matter is added. Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Drawing and Claim Objections

The Office Action objects to the drawings and objects to claim 1 because of informalities. Specifically, the Office Action asserts that the drawings do not show independently moving first and second arms, as recited in claim 1. Further, the Office Action asserts that the movements of the first and second arm are not independent because movement of the first arm would cause movement of the second arm. These objections are obviated by the foregoing amendments to claim 1.

The measuring instrument of claim 1 may include drivers adopted to synchronously move a first short arm and a second short arm. See page 2, lines 19-26. For example, a synchronous driver 54 may include a main arm moving mechanism 55 and a sub-arm moving mechanism 56 for respectively moving a main arm 41 and a sub-arm 42 in an axial direction. See Figs. 3 and 4, and page 7, lines 25-29. The main arm moving mechanism 55 may include a rack 551, a pinion 552 and a rotation-applying device 554. See page 7, line 30 – page 8,

line 10. The sub-arm moving mechanism 56 may include a drive-side pulley 561, a driven-side pulley 562, a timing belt 563 and a joint 564. See page 8, lines 11-15.

When the synchronous driver 54 is driven, the main arm 41 and the sub-arm 42 are moved in an interlocking manner by the respective moving mechanisms 55, 56 towards a measuring point as a result of rotation of a motor 555, a driven gear 556C, the pinion 552 and the drive-side pulley 561. See page 9, lines 3-31. Because the main arm moving mechanism 55 and the sub-arm moving mechanism 56 may be independently provided, the main arm 41 and the sub-arm 42 may be moved at different speeds. See page 10, lines 22-24. Therefore, the features of the main arm moving mechanism (e.g., 55) and the sub-arm moving mechanism (e.g., 56) for independently moving the main arm 41 and the sub-arm 42 are shown in the drawings. As such, Applicant submits that drawing corrections are not required. The attached drawings are clean copies of the drawings filed on January 20, 2004.

II. Rejection Under 35 U.S.C. §112, First Paragraph

The Office Action rejects to claims 2-7 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserts that the specification does not disclose independently moving the first and second arms while moving the first and second arms in an interlocking manner, the foregoing amendments obviate this rejection.

III. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claim 1 under 35 U.S.C. §102(b) over U.S. Patent No. 4,432,141 to Marcyan. Applicant respectfully traverses the rejection.

Marcyan does not disclose a measuring instrument including "drivers being adapted to synchronously move the first short arm and the second short arm in the axial direction of the first short arm," as recited in independent claim 1.

The Office Action asserts that Marcyan discloses a measurement instrument including drivers 19, 30 for independently moving a first short arm 12 and a second short arm 27. Notwithstanding this assertion, Marcyan does not disclose drivers adapted to synchronously move first and second arms.

Marcyan discloses, in Fig. 1, an ultra precision comparator apparatus 10 including a transfer stand 11 supporting a carriage 12, members 26, 27 and a sensor probe 50 to measure a block 50. Marcyan discloses that the carriage 12 is adjustable via an adjustment screw 19, and the members 26, 27 are adjustable via a high precision differential screw 30. See col. 2, lines 30-56. Although the adjustable screw 19 and the differential screw 30 are used to adjust a height of the probe 50, Marcyan does not disclose that the screws 19, 30 are adapted to synchronously move the carriage and the members 26, 27.

The measuring instrument of claim 1 may include the synchronous driver 54 for synchronously moving the short arms so that each of the short arms may be shorter than a detector stroke. See page 9, lines 27-31. As a result, mounting space reduction may be achieved by a smaller required instrument. See page 10, lines 1-4. Marcyan does not teach or suggest such features or advantages. For at least these reasons, Marcyan does not disclose the measuring instrument of claim 1.

Therefore, claim 1 is patentable over Marcyan. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Holly N. Moore
Registration No. 50,212

JAO:HNH
Attachment:

Replacement Drawings (Figs. 1-7)

Date: September 13, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--